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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Derrick Lewis,

No. CV-23-02590-PHX-DLR (JZB)

10 Plaintiff,

ORDER

11 v.

12 City of Phoenix, et al.,

13 Defendants.

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15 Before the Court is United States Magistrate Judge Boyle's Report and
16 Recommendation ("R&R") recommending that the Court dismiss this action without
17 prejudice for Plaintiff's failure to serve defendants pursuant to Rule 4(m) of the Federal
18 Rules of Civil Procedure. (Doc. 16.) The Magistrate Judge advised the parties that they
19 had fourteen days to file objections to the R&R and that failure to file timely objections
20 could be considered a waiver of the right to obtain review of the R&R. *See United States*
21 *v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (failing to timely object to an R&R
22 waives review of that R&R).

23 Neither party filed objections, which relieves the Court of its obligation to review
24 the R&R. Still, the Court reviewed the R&R and finds it well-taken. The Court accepts
25 the R&R in its entirety. *See* 28 U.S.C. § 636(b)(1) (stating that the district court "may
26 accept, reject, or modify, in whole or in part, the findings or recommendations made by the
27 magistrate"); Fed. R. Civ. P. 72(b)(3).

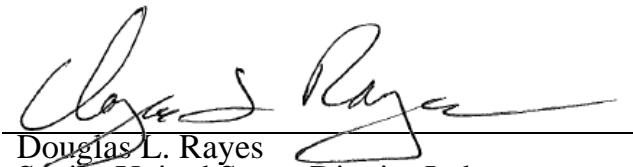
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1 **IT IS ORDERED** that the R&R (Doc. 16) is **ACCEPTED**.

2 **IT IS FURTHER ORDERED** the reference of this case to the Magistrate Judge is
3 **WITHDRAWN**, and this action shall be **DISMISSED WITHOUT PREJUDICE**.

4 **IT IS FURTHER ORDERED** that the Clerk of the Court enter judgment
5 accordingly and terminate this case.

6 Dated this 20th day of September, 2024.

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11 Douglas L. Rayes
12 Senior United States District Judge

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